

EXHIBIT 49

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

--oOo--

ORACLE, USA, INC., a Colorado)
corporation; ORACLE AMERICA,)
INC., a Delaware Corporation;)
and ORACLE INTERNATIONAL)
CORPORATION, a California)
corporation,)

Plaintiffs,)

vs.) No. 2:10-cv-00106

RIMINI STREET, INC., a Nevada)
corporation; SETH RAVIN, an)
individual,)

Defendants.)

VIDEOTAPED DEPOSITION OF NAMBIRAJAN LAKSHMANAN

DATE: November 22, 2011

TIME: 9:09 a.m.

LOCATION: Bingham McCutchen LLP
Three Embarcadero Center
28th Floor
San Francisco, CA

REPORTED BY: Kenneth T. Brill
Certified Shorthand Reporter No. 12797

Pages 1 - 282

1 APPEARANCES:	1 will be sworn in and we can proceed 09:10:28
2	2 NAMBIRAJAN LAKSHMANAN, after having 09:10:38
3 BINGHAM MCCUTCHEN LLP	3 been first duly sworn, was examined and 09:10:38
4 BY: JOHN POLITO, ESQUIRE	4 testified as follows: 09:10:38
5 Three Embarcadero Center	5 --- 09:10:38
6 San Francisco, CA 94111-4667	6 EXAMINATION 09:10:38
7 (415) 393-2314	7 --- 09:10:38
8 john.polito@bingham.com	8 BY MR. POLITO: 09:10:40
9 Representing the Plaintiffs	9 Q. Good morning, Mr. Lakshmanan. 09:10:41
10	10 A Good morning 09:10:42
11 SHOOK HARDY & BACON LLP	11 Q. Have you ever had your deposition taken 09:10:45
12 BY: RYAN DYKAL, ESQUIRE	12 before? 09:10:47
13 ROBERT RECKERS, ESQUIRE	13 A No 09:10:47
14 2555 Grand Boulevard	14 Q. So I'm sure you've been amply prepared, 09:10:48
15 Kansas City, Missouri 64108-2613	15 but just to remind you that even though we're here 09:10:51
16 (816) 559-2572	16 in an informal setting, the oath that you just took 09:10:54
17 rdykal@shb.com	17 has the same force and effect as if you were in the 09:10:57
18 rreckers@shb.com	18 court of law. 09:10:59
19 Representing the Defendants	19 Do you understand that? 09:11:00
20	20 A Yes 09:11:02
21 --oOo--	21 Q. The court reporter is going to take down 09:11:03
22 ALSO PRESENT: Jake Krohn, Videographer	22 your audible response so that means please try to 09:11:04
23	23 respond verbally and don't try to shake your head in 09:11:09
24	24 responding. Do you understand? 09:11:12
25	25 A Yes 09:11:14
Page 2	Page 4
1 THE VIDEOGRAPHER: Good morning. We are 09:09:06	1 Q. If you don't understand a question that I 09:11:14
2 on the record at 9:09 a.m. on November 22nd, 2011. 09:09:06	2 ask, please let me know and I will address your -- 09:11:15
3 This is the videotaped deposition of Nambirajan -- 09:09:15	3 your issue. You're going to have an opportunity to 09:11:18
4 Nambirajan Lakshmanan. 09:09:19	4 review your transcript and make changes. However, 09:11:22
5 My name is Jake Krohn, here with our court 09:09:21	5 if you make changes, anyone here can comment on 09:11:25
6 reporter, Ken Brill. We are here from Veritext 09:09:24	6 those changes at trial. 09:11:27
7 National Deposition & Litigation Services. 09:09:25	7 Do you understand that? 09:11:29
8 This deposition is being held at three 09:09:32	8 A Okay 09:11:30
9 Embarcadero Center, 28th Floor in the City of San 09:09:34	9 Q. The court reporter can only take down one 09:11:34
10 Francisco. The caption of this case is Oracle 09:09:38	10 person speaking at a time, so please, even if you 09:11:37
11 U.S.A., Inc., et al., versus Rimini Street, Inc , et 09:09:42	11 know where I'm going with my question, let me finish 09:11:39
12 al., case number 2:10-CV-00106-LRH-PAL. 09:09:48	12 my question and then respond. 09:11:42
13 Please note that audio and video recording 09:09:59	13 A Sure 09:11:44
14 will take place unless all parties agree to go off 09:10:01	14 Q. Do you have any physical or mental 09:11:44
15 the record. Microphones are sensitive and may pick 09:10:03	15 conditions that would interfere with your ability to 09:11:45
16 up whispers, private conversations and cellular 09:10:07	16 give your best testimony today? 09:11:47
17 interference. 09:10:08	17 A I don't think so 09:11:49
18 At this time, counsel will -- all counsel 09:10:11	18 Q. Mr. Lakshmanan, can you state your full 09:11:53
19 present will identify themselves for the record. 09:10:14	19 name and address for the record. 09:11:55
20 MR. POLITO: John Polito for plaintiffs. 09:10:16	20 A My full name is Nambirajan Lakshmanan and 09:11:56
21 MR. DYKAL: Ryan Dykal, with Shook Hardy & 09:10:20	21 my address is 4000 Hemmingway Common, Fremont, 09:11:59
22 Bacon for the defendants. 09:10:22	22 California Zip code is 94536 09:12:02
23 MR. RECKERS: Robert Reckers, Shook Hardy 09:10:24	23 Q. Thank you. What did you do to prepare for 09:12:07
24 & Bacon, for the defendants. 09:10:25	24 your deposition today? 09:12:09
25 THE VIDEOGRAPHER: Thank you. The witness 09:10:28	25 A Basically, on Friday and Monday I met with 09:12:10
Page 3	Page 5

Pages 2 to 5

Veritext National Deposition & Litigation Services
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1	someone at Rimini Street had deviated from the	09:20:37	1
2	policies and procedures that you're discussing?	09:20:40	
3	A. I don't think so that what's happened, but	09:20:48	
4	I don't remember.	09:20:50	
5	Q. What policies and procedures in place in	09:21:02	
6	January 2010 did you discuss at that meeting, if you	09:21:05	
7	can recall?	09:21:09	
8	A. See, again, on January 2010, whatever the	09:21:13	
9	Oracle lawsuit has happened, after that, nothing has	09:21:16	
10	changed. I worked for development team. We have	09:21:20	
11	some of the development procedures, you know, just,	09:21:25	
12	you know, we -- it's kind of -- we not -- we -- we	09:21:28	
13	haven't gone through detail enough to discuss what	09:21:34	
14	it is, because we know that it's already the policy	09:21:36	
15	and procedures are there.	09:21:39	
16	All in that team meeting, it's like a	09:21:40	
17	two -- two -- kind of like, it's a short notice,	09:21:42	
18	everybody saying, you know, yeah, you know, the	09:21:45	
19	Oracle did the lawsuit on Rimini Street, so we have	09:21:48	
20	to follow the procedures. That's what it is. Just	09:21:51	
21	reiterate the procedures, what it is.	09:21:53	
22	Q. Mr. Lakshmanan, I want to make sure that I	09:21:56	
23	understand.	09:21:58	
24	Are you telling me that at the meeting	09:21:59	
25	after the lawsuit was filed, when you were	09:22:01	
	Page 14		Page 16
1	discussing the lawsuit, no one referred to any	09:22:04	
2	specific procedures and instead, it was just said	09:22:07	
3	that everybody should follow the procedures that are	09:22:10	
4	in place?	09:22:13	
5	MR. DYKAL: Objection, mischaracterizes	09:22:13	
6	testimony. You can answer.	09:22:16	
7	THE WITNESS: I -- yes.	09:22:20	
8	BY MR. POLITO:	09:22:22	
9	Q. Mr. Lakshmanan, are you currently employed	09:22:32	
10	by Rimini Street?	09:22:34	
11	A. Yes.	09:22:35	
12	Q. And in what capacity?	09:22:35	
13	A. I'm a senior software developer in	09:22:38	
14	PeopleSoft, just on August 15th I moved to the new	09:22:42	
15	team. I'm sorry, it's October 15th.	09:22:47	
16	October 15th.	09:22:57	
17	Q. October 15th of 2011?	09:22:58	
18	A. Of 2011.	09:23:00	
19	Q. So on October 15th, 2011, you moved to a	09:23:01	
20	new team within Rimini Street?	09:23:05	
21	A. Within Rimini Street.	09:23:08	
	Page 15		Page 17

Pages 14 to 17

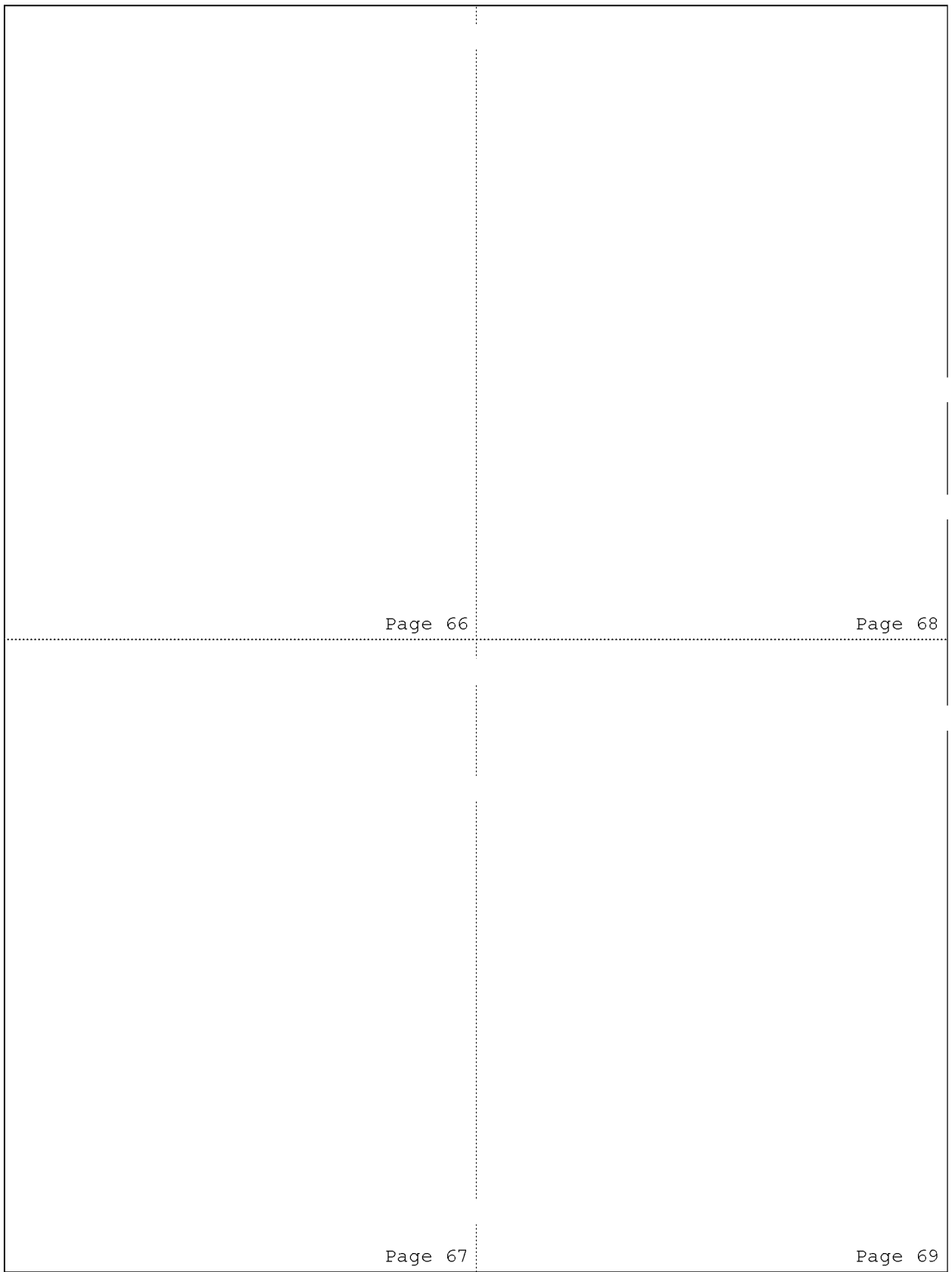
		1	like that, yes.	09:28:31	
		2	Q. So after the merger had been completed	09:28:32	
		3	between Oracle and PeopleSoft?	09:28:35	
		4	A. Yes.	09:28:36	
		5	Q. Who was your manager when you left?	09:28:37	
		6	A. Steve Andreas, I guess, yeah, Steve	09:28:39	
		7	Andreas, yes. I'm not sure. I think Steve Andreas.	09:28:42	
		8	Q. And what were you doing, what was your	09:28:47	
		9	capacity at PeopleSoft before you left?	09:28:49	
		10	A. Actually, in the time frame of PeopleSoft,	09:28:52	
		11	I've been working as a -- a tax and reg -- preparing	09:28:54	
		12	tax and reg updates and product fixes for basically	09:29:00	
		13	it's called People Payroll, PR team or something, I	09:29:03	
		14	worked down there.	09:29:07	
		15	And then after that I moved to benefits,	09:29:08	
		16	or benefit administration, E-Benefits or something	09:29:10	
		17	like that, so I moved to that team. Yeah,	09:29:13	
		18	basically.	09:29:15	
		19	Q. You worked on a number of modules on the	09:29:18	
		20	PeopleSoft HRMS product?	09:29:21	
		21	A. Yes.	09:29:23	
		22	Q. Including payroll?	09:29:24	
		23	A. Payroll.	09:29:25	
		24	Q. Benefits?	09:29:26	
		25	A. Benefit.	09:29:26	
	Page 18				Page 20
		1	Q. Global payroll?	09:29:27	
		2	A. Yeah, a little bit, yeah.	09:29:28	
		3	Q. Any major product areas that I missed?	09:29:32	
		4	A. You can say benefit administration and	09:29:37	
		5	E-Benefits, those things. E- --	09:29:39	
		6	Q. And you were developing tax and regulatory	09:29:47	
		7	updates for those modules over the course of your	09:29:50	
		8	employment at PeopleSoft and Oracle?	09:29:52	
		9	A. Yes, on the payroll side, I've been	09:29:54	
		10	working on the production fixes and some of the tax	09:29:56	
		11	and regulatory fixes, you know, that -- that's what	09:29:58	
		12	our team do over there.	09:30:01	
		13	Q. Where were you employed when you left	09:30:14	
		14	Peo- -- when you left Oracle?	09:30:15	
		15	A. For -- shortly, for six months, I -- six	09:30:17	
		16	months or eight months I'm doing a consulting in	09:30:20	
		17	RHI, Robert Half Consulting.	09:30:23	
		18	Then after that, I think through	09:30:28	
		19	"hardjobs" or some -- some job search site, I saw	09:30:30	
		20	Rimini Street's, you know, the requisition, job	09:30:34	
		21	requisition. It kind of it fits me like same kind	09:30:39	
		22	of like, you know, what the job previously I do	09:30:45	
		23	and -- and I kind of -- I applied through it and,	09:30:46	
		24	you know, got the job.	09:30:49	
		25	Q. And had you worked with Susan Tahtaras at	09:30:50	
20	Q. How many years were you a PeopleSoft	09:28:18			
21	employee?	09:28:19			
22	A. I believe it's four and a half years, I	09:28:20			
23	guess.	09:28:24			
24	Q. When did you leave?	09:28:26			
25	A. It's 2005, I guess, 2005, April something	09:28:27			
	Page 19				Page 21

Pages 18 to 21

Veritext National Deposition & Litigation Services
866 299-5127

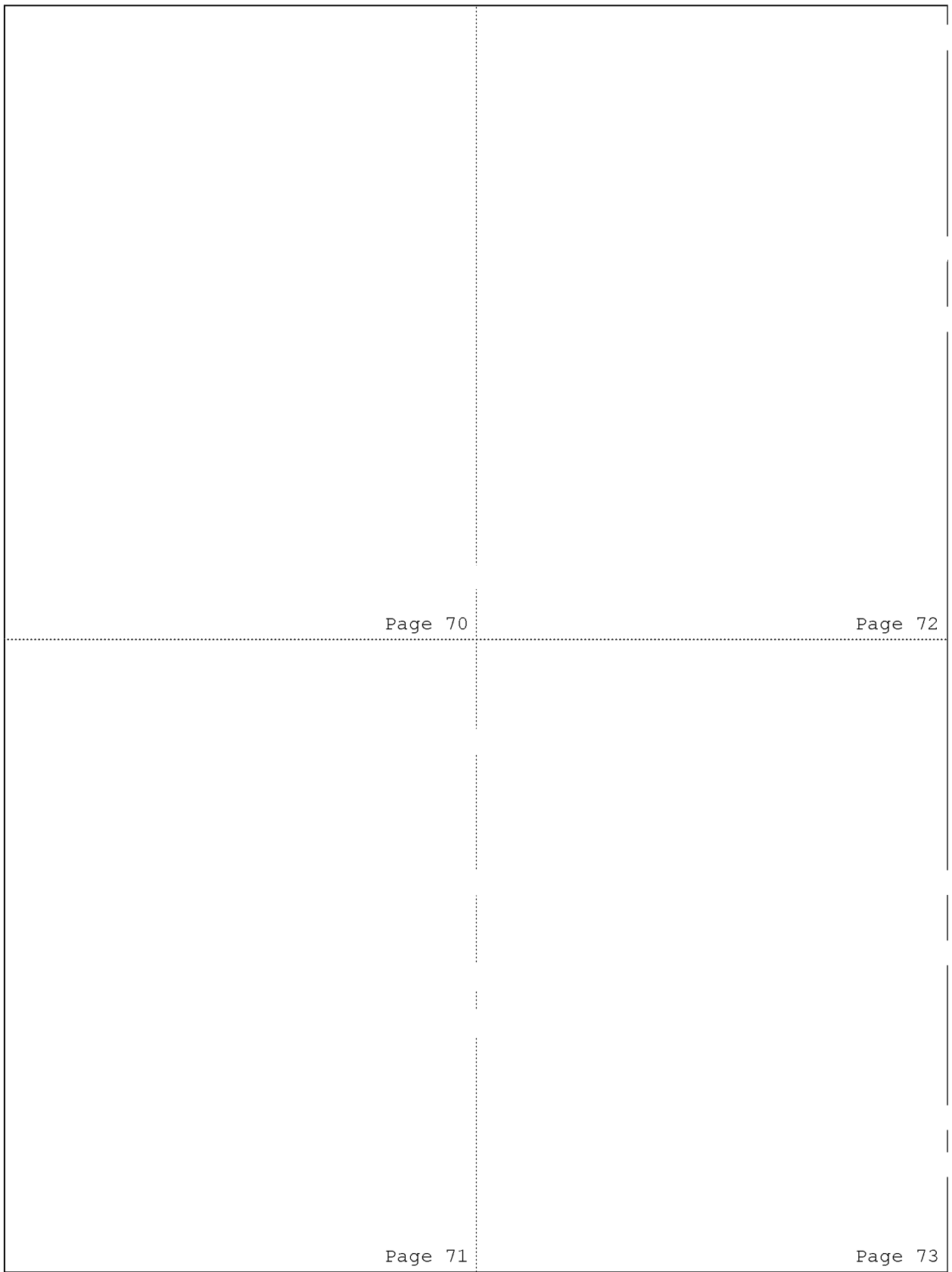
1	PeopleSoft or Oracle?	09:30:54	1	from your previous hard disk were copied onto your	09:32:54
2	A Susan Tahtaras worked on PeopleSoft, but	09:30:56	2	new machine?	09:32:57
3	we both are in different teams I never met her	09:31:00	3	A. Yeah, because when you do that reimage, or	09:32:58
4	when she was at PeopleSoft	09:31:03	4	something, they -- they got the procedure -- because	09:33:00
5	Q. Did you -- when you joined Rimini Street,	09:31:04	5	I'm not sure, basically, I'm not IT guy or	09:33:01
6	had you met anyone who was at Rimini Street when you	09:31:07	6	something. You know, I just say that my hardware	09:33:05
7	were back at PeopleSoft or Oracle?	09:31:09	7	got crashed, you know, they'll fix it and they'll	09:33:08
8	A You know, the -- the one or two times	09:31:12	8	give it to me, basically.	09:33:10
9	we -- we'd gone for lunch, you -- like -- like, you	09:31:14	9	Q. Do you recall whether it looked like all	09:33:12
10	know, because it's the old colleagues, you know, we	09:31:17	10	your files had been moved over, just generally	09:33:14
11	got the group or something, so we go and, you know,	09:31:19	11	speaking?	09:33:17
12	like one or two times we met at lunch	09:31:22	12	A. Generally speaking, yes.	09:33:17
13	Q. You were one of the first Rimini Street	09:31:31			
14	employees for PeopleSoft software, is that correct?	09:31:32			
15	A Yeah	09:31:35			
16	Q. You and Ms. Tahtaras?	09:31:36			
17	A Tahtaras -- first Tahtaras joined and then	09:31:38			
18	after that I joined	09:31:42			
19	Q. And then Travis Ormond?	09:31:43			
20	A Yeah, Travis Ormond and --	09:31:46			
21	Q. And do you remember approximately what	09:31:51			
22	date you started at Rimini Street?	09:31:53			
23	A It was August 2006 I don't remember the	09:31:55			
24	date	09:31:58			
25	Q. Thank you. Do you have a Rimini Street	09:31:59			
	Page 22			Page 24	
1	issued computer that you use for work purposes?	09:32:05			
2	A. Yes, we have a company laptop to work for	09:32:09			
3	the work purposes.	09:32:11			
4	Q. You have a company laptop that you use?	09:32:13			
5	A. Yes.	09:32:15			
6	Q. And do you work from home on that laptop?	09:32:16			
7	A. Yes.	09:32:19			
8	Q. And do you also work out of the Pleasanton	09:32:19			
9	office?	09:32:22			
10	A. Yes.	09:32:23			
11	Q. And is that the same computer, you bring	09:32:23			
12	it back and forth?	09:32:25			
13	A. Yes.	09:32:26			
14	Q. Do you have any other computers that you	09:32:27			
15	used for work purposes?	09:32:29			
16	A. No, no.	09:32:31			
17	Q. Have you had the same laptop your entire	09:32:32			
18	time at Rimini Street?	09:32:35			
19	A. Yes. Yes, you know, I think like -- yeah,	09:32:36			
20	same laptop, but I think this time we got some	09:32:40			
21	problems with the like -- like that, 2000 -- I'm not	09:32:45			
22	sure, 2008 or 2009, I think my hard disk got	09:32:45			
23	crashed. So, you know, we got a replacement of the	09:32:50			
24	hard disk, so...	09:32:52			
25	Q. And do you know whether your materials	09:32:53			
	Page 23			Page 25	

Pages 22 to 25



Pages 66 to 69

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Pages 70 to 73

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CERTIFICATE OF REPORTER

I, KENNETH T. BRILL, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken down in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties hereto.

DATED: December 28, 2011


KENNETH T. BRILL
CSR 12797

Page 72